

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

**FCC 15M-32**  
10474

In the Matter of	)	EB Docket No. 03-152
	)	
<b>WILLIAM L. ZAWILA</b>	)	Facility ID No. 72672
	)	
Permitted of FM Station KNKS,	)	
Coalinga, California	)	
	)	
<b>AVENAL EDUCATIONAL SERVICES, INC.</b>	)	Facility ID No. 3365
	)	
Permittee of FM Station KAAX	)	
Avenal, California	)	
	)	
<b>CENTRAL VALLEY EDUCATIONAL</b>	)	Facility ID No. 9993
<b>SERVICES, INC.</b>	)	
	)	
Permittee of FM Station KAJP,	)	
Firebaugh, California	)	
	)	
<b>H. L. CHARLES D/B/A FORD CITY</b>	)	Facility ID No. 22030
<b>BROADCASTING</b>	)	
	)	
Permittee of FM Station KZPE,	)	
Ford City, California	)	
	)	
<b>LINDA WARE D/B/A LINDSAY</b>	)	Facility ID No. 37725
<b>BROADCASTING</b>	)	
	)	
Licensee of FM Station KZPO,	)	
Lindsay, California	)	
	)	
In re Application of	)	
	)	
<b>WESTERN PACIFIC BROADCASTING, INC.</b>	)	File No. BR-19970804YJ
	)	Facility ID No. 71936
For Renewal of License for AM Station KKFO,	)	
Coalinga, California	)	

**ORDER**

**Issued:** December 14, 2015

**Released:** December 14, 2015

On December 3, the Enforcement Bureau filed a Request for Status Conference. The Bureau cites matters that are presently under consideration by the Presiding Judge: (1) whether Mr. Zawila or Mr. Couzens is authorized to represent two of the parties to

this proceeding; (2) motions to compel discovery filed by the Bureau; (3) a motion to dismiss all issues filed by Mr. Couzens. The Bureau request a status determination at this time of “the next steps [to take] in this case.”

On December 4, Mr. Couzens, contending that he represents Avenal and Central Valley, noted his pending motion for “dismissal of the entire [EB Dkt. No. 03-152] action.” Mr. Couzens then represents:

A status conference will serve no purpose but to have the parties re-hash familiar positions once again.

So it has been made quite clear that meaningful “participation” by Mr. Couzens in the requested status conference is speculative and may result in a non-productive waste of time. But as case determinative alternate relief, Mr. Couzens prays that the Presiding Judge “should terminate the entire action”. That remedy cannot be granted in this ruling because the movants papers have not yet been fully consulted. The “Movants” and their counsel should have realized by now that discovery must first be completed.<sup>1</sup> Also, determination of a pending motion filed by the Bureau to add issues must take priority over a motion to dismiss.

It appears that under the above status of pleadings and an apparent unwillingness of Mr. Couzens to meaningfully cooperate in a status conference, a status conference will be deferred to a time to be determined.<sup>2</sup>

### **Ruling**

For the above reasons, Enforcement Bureau’s Request for Status Conference filed on December 3, 2015, **IS DEFERRED**.

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, reading "Richard L. Sippel". The signature is written in a cursive, flowing style.

Richard L. Sippel  
Chief Administrative Law Judge

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<sup>1</sup> Full cooperation in discovery is expected of Mr. Couzens so that his motion to dismiss can be considered on a complete record. It is noted in the Bureau’s Request for Status Conference that interrogatories (first set) and document requests have been served on the private parties. All responses to date were deemed to be absent of factual information and documents which required the Bureau to file motions to compel. So there remain substantial motion issues to determine before turning to a question of case termination.

<sup>2</sup> It is noted, however, that Enforcement Bureau’s Request for Status Conference filed on December 3, was appropriate.